

The State of Maryland

Executive Department

EXECUTIVE ORDER
01.01.2011.08

Fiscal Years 2012, 2013 and 2014 State Employees' Reduction Recovery Plan
(Rescinds Executive Order 01.01.2010.11)

- WHEREAS, In recent years, the State of Maryland faced a significant fiscal crisis, exacerbated by a national recession and declining revenues, all of which necessitated reductions in the budgets for Fiscal Years 2009, 2010, and 2011;
- WHEREAS, To address the revenue shortfalls during this period, the O'Malley-Brown Administration has reduced planned spending by \$6.8 billion since taking office and has eliminated over 5,300 State positions, while avoiding significant layoffs;
- WHEREAS, As a significant part of the State's cost-containment efforts, State employees have been required to participate in carefully managed furlough and salary reduction plans, pursuant to Executive Orders 01.01.2008.20, 01.01.2009.11 and 01.01.2010.11;
- WHEREAS, Additional savings have been achieved as a result of the service reduction days implemented in conjunction with the aforementioned Executive Orders;
- WHEREAS, Maryland State employees and their exclusive bargaining representatives have partnered with the State in an effort to ameliorate the impact of the fiscal crisis on the State; and
- WHEREAS, In consideration of the past sacrifices made by State employees for the greater good of the citizens of Maryland, furloughs, salary reductions, and increased health and retirement costs, it is in the interest of the State to afford employees with some manner of relief.
- NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY, EFFECTIVE JULY 1, 2011,

PROCLAIM THE FOLLOWING EXECUTIVE ORDER
AND RESCIND EXECUTIVE ORDER 01.01.2010.11:

A. Except as provided in paragraph E, this Executive Order applies to all non-contractual employees of the State of Maryland, including employees of agencies with independent salary setting authority or independent personnel systems, employees of the Maryland Food Center Authority, the Maryland Port Administration, and the Maryland Stadium Authority.

B. "Employees of 24/7 operations" means direct care employees in health, juvenile services, and correctional facilities; police officers employed by the State at the rank of first sergeant or below, except those in administrative or clerical positions; and other employees designated by the Secretary of Budget and Management who work on a shift schedule providing services as part of a 24-hour operation.

C. (1) For Fiscal Year 2012, Fiscal Year 2013, and Fiscal Year 2014, routine State government operations shall be significantly curtailed on the following days: the Friday before Labor Day; the day before Thanksgiving; the work day before the Christmas holiday; the work day before the New Year's holiday; and the Friday before Memorial Day. The only exception to this list will be that the Maryland Department of Transportation employees will have a service reduction day on the day after Thanksgiving instead of the day before Thanksgiving.

The Secretary of Budget and Management shall authorize paid administrative leave for the aforementioned five days for non-contractual, non-24/7 State employees.

(2) Except for employees in Bargaining Unit I, employees of 24/7 operations will receive five days of Administrative Leave at the beginning of Fiscal Year 2012, Fiscal Year 2013, and Fiscal Year 2014. The use of such Administrative Leave shall require supervisor approval and shall be authorized in a manner that minimizes the use of overtime at each affected agency. The Administrative Leave may be used at any time prior to the employee's separation from State employment. Employees are not entitled to compensation for unused Administrative Leave.

(3) Bargaining Unit I employees who were affected by the Fiscal Year 2011 State Employees' Furlough and Temporary Salary Reduction Plan will be credited with Administrative Leave Days effective on June 30, 2011, as follows:

(a) Members who were earning less than \$40,000 in Fiscal Year 2010 will receive three Administrative Leave Days.

(b) Members who were earning \$40,000 or more in Fiscal year 2010 will receive five Administrative Leave Days.

Use of Administrative Leave shall require prior supervisory approval. The Administrative Leave may be used at any time prior to the employee's separation from employment with the State, but employees are not entitled to compensation for unused Administrative Leave.

D. The Secretary of Budget and Management, the heads of every other personnel system, and the appointing authorities shall take all action as necessary or desirable to implement this plan.

E. This Executive Order does not apply to:

(1) The Legislative Branch;

(2) The Judicial Branch;

(3) Officers whose compensation may not lawfully be reduced under Article III, § 35 of the Maryland Constitution;

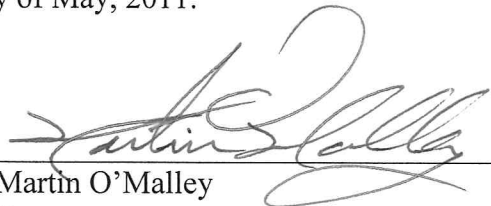
(4) Employees designated as entirely or partially exempt from any provision of this Executive Order by the Secretary of Budget and Management;

(5) Employees of the Maryland Automobile Insurance Fund and the Injured Workers' Insurance Fund; and

(6) Employees of the University System of Maryland, St. Mary's College of Maryland, Morgan State University and Baltimore City Community College.

GIVEN Under My Hand and the Great Seal of the
State of Maryland, in the City of Annapolis, this
20th day of May, 2011.





Martin O'Malley
Governor

ATTEST:



John P. McDonough
Secretary of State